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Dkt. 58463/JPW/LAD

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

Applicants: Harold J. Wanebo and Shashikant Mehta  
U.S. Serial No.: 09/287,884 Examiner: J.D. Anderson  
Filed: April 7, 1999 Group Art Unit: 1614  
For: COMBINATIONS OF CERAMIDE AND CHEMOTHERAPEUTIC  
AGENTS FOR INDUCING CELL DEATH AND USES THEREOF  
IN TREATING CANCER

30 Rockefeller Plaza, 20<sup>th</sup> Floor  
New York, New York 10112  
June 4, 2009

Mail Stop AF  
Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

Sir:

**NOTICE OF APPEAL FROM THE EXAMINER'S DECISION  
TO THE BOARD OF PATENT APPEALS AND INTERFERENCES**

Applicants hereby appeal to the Board from the decision of the Examiner mailed December 4, 2008 in connection with the above-identified application. The required fee for filing a Notice of Appeal under 37 C.F.R. §1.17(b) for a small entity is TWO HUNDRED AND SEVENTY DOLLARS (\$270.00) and a check for this amount is enclosed. Applicants are concurrently filing an Amendment In Response To December 4, 2008 Final Office Action And A Petition For A Three-Month Extension of Time, making this application pending today.

06/09/2009 CCHAU1 00000070 09287884

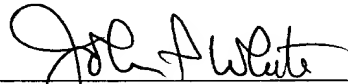
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No fee, other than the enclosed \$270.00 fee for filing a Notice of Appeal, is deemed necessary. However, if any additional fee is required, authorization is hereby given to charge the amount of such fee to Deposit Account No. 03-3125.

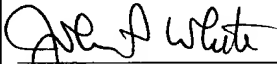
Respectfully submitted,



John P. White  
Registration No. 28,678  
Attorney for Applicants  
Cooper & Dunham, LLP  
30 Rockefeller Plaza, 20<sup>th</sup> Floor  
New York, New York 10112  
(212) 278-0400

I hereby certify that this correspondence is being deposited this date with the U.S. Postal Service with sufficient postage as first class mail in an envelope addressed to:

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John P. White Date  
Reg. No. 28,678